

From: [Dube, Norm](#)
To: [Murphy, Donald;](#)
Subject: Blue Sky East - Bull Hill Wind Project
Date: Tuesday, March 01, 2011 1:40:29 PM

Don,

After review of Blue Sky East's Bull Hill Wind Project in T16MD, DMR has determined that the project will have no impact on Atlantic salmon populations or habitat. We appreciate the opportunity to comment on the project.

Norm

Norman R. Dubé
Fisheries Scientist
Bureau of Sea Run Fisheries and Habitat
Maine Department of Marine Resources
650 State Street
Bangor, ME 04401
Phone: (207) 941-4453 Fax: (207) 941-4443
Email: norm.dube@maine.gov
www.maine.gov/dmr

From: [Stearns, Alan](#)
To: [Murphy, Donald](#);
cc: ["palmer.jf@gmail.com"](mailto:palmer.jf@gmail.com);
Subject: Bull Hill Wind Project: BPL comments
Date: Sunday, February 27, 2011 3:23:56 PM

BPL defers to LURC's consultant Jim Palmer for analysis of scenic impacts.

BPL defers to LURC and other commenters for evaluation of the tangibility of proposed tangible benefits relating to land or resource conservation.

Alan Stearns, Deputy Director
Bureau of Parks & Lands
Maine Department of Conservation
22 State House Station
18 Elkins Lane (Harlow Bldg)
Augusta, ME 04333-0022
(207)287-4911 (direct)
(207)287-4960 (assistant)
alan.stearns@maine.gov
www.parksandlands.com

From: [Stancampiano, Robin](#)
To: [Murphy, Donald](#);
cc: [Mohney, Kirk](#); "[Neal, LeeAnn NAE](#)";
Subject: LURC# DP-4886 Bull Hill Wind Project (MHPC# 1112-09)
Date: Monday, February 14, 2011 11:29:00 AM

LURC# DP-4886 Bull Hill Wind Project; T16MD-Plan 01 lot 1; (MHPC# 1112-09)

Donald:

In response to your recent request, our office has reviewed the information received February 8, 2011 to continue consultation on the above referenced undertaking pursuant to the requirements of the Maine Land Use Regulation Commission.

The permit application includes four proposed locations for permanent met towers. We were not given this information during our previous review of this project. However, the finding in our January 5, 2011 letter (included in the permit application) stands as is (no unreasonable adverse effects on historic properties).

No further review is required by our office unless changes to the project are proposed.

Robin Stancampiano
--Review & Compliance Coordinator
--Certified Local Government Coordinator
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333
phone: 207-287-2132 ext. 1
fax: 207-287-2335
<http://www.maine.gov/mhpc>

Barnes, Brooke

Subject: MDOT correspondence regarding Route 9 Entrance Permit

From: Mattson, Bruce [<mailto:Bruce.Mattson@maine.gov>]
Sent: Tuesday, October 26, 2010 1:03 PM
To: John Theriault
Cc: Brett Hart; Kosobud, Craig; Devin, John
Subject: RE: Bull Hill Project - T16 MD

John-

An entrance permit is not needed for the delivery of wind farm components as this entrance has been used for years for logging operations and heavy vehicles. The sight lines are good and the entrance is wide which should safely accommodate delivery of the components.

From: John Theriault [<mailto:jtheriault@jws.com>]
Sent: Tuesday, October 26, 2010 9:49 AM
To: Mattson, Bruce
Cc: Brett Hart
Subject: Bull Hill Project - T16 MD

Good Morning Bruce,

Sewall is working on a Wind Project on Bull Hill in T16 MD near Eastbrook. Access to Bull Hill will be from the existing logging roads with the wind turbine components being delivered via eastbound Route 9 and turning onto Spectacle Pond Road in Aurora to access the site. Traffic volumes will be well below the threshold requiring a Traffic Movement Permit; however we would like to know if the Department will require an Entrance Permit at the intersection of Route 9 and Spectacle Pond Road for the project. This intersection is fairly wide with good sight distance in both directions. The road is already being used by heavy vehicles associated with the logging operation of the nearby properties.

Please let me know if an entrance permit (or any other permit from the Department) will be required for the project. We are currently in the process of preparing our permit application to LURC and would like to include any information to/from MaineDOT that may be required for the project. Thank you for your help and please call/write if you have any questions.

Sincerely,

John Theriault, PE, PTOE, LEEDAP
Project Manager
Sewall
136 Center Street
Old Town, Maine 04468
(207) 827-4456 ext. 450
(207) 827-2186 (fax)
E-mail: jtheriault@sewall.com



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

ELIZA TOWNSEND
ACTING COMMISSIONER

Marcia Spencer-Famous, LURC
22 State House Station
Augusta, Maine 04333

Re: Impact of Bull Hill Wind Project on Local Wildland Fire Protection Services

Dear Marcia,

I have reviewed the materials associated with Blue Sky East LLC's development of a 34MW wind power project in the Bull Hill area of T16 MD, an unorganized territory in Hancock County. According to these materials, this project consists of 19 turbines, a substation and O&M facility. Road construction and alterations will be minimal as an extensive timber management road network already exists.

I serve as the forest ranger responsible for the forest fire protection for this area on behalf of the Maine Forest Service. We are charged with providing wildland fire prevention and suppression and as such are not a structural fire agency. However, we would lend assistance to the level that we are trained and equipped. I have determined, based upon discussions and my review of the materials provided, that this project will be reasonably self-sufficient and will have little, if any impact on the services that we provide to this area.

This project does not appear to necessitate any additional resources or requirements on our agency's part; not does it appear that alteration or modification of current prevention or suppression efforts or practices would be required.

If you have any further questions of concern please feel free to contact me at (207) 667-2070 or at ranger.rick.henion@gmail.com.

Sincerely,

Rick A Henson
Forest Ranger II
Maine Forest Service

Cc: Stantec Consulting Services, Brook Barnes,
B. Williams, MEFS
B. Hamilton, MEFS
C Hammond, MEFS

www.maine.gov/doc
PHONE: 207-287-4900
FAX: 207-287-2400
TTY: 888-577-6690

Maine Natural Areas Program

17 Elkins Lane

State House Station #93

Augusta, Maine 04333

RECEIVED

FEB 11 2011

LURC-AUGUSTA

Date: February 9, 2011

To: D. Murphy, Maine LURC

From: Don Cameron, Ecologist - DSC

Re: Rare and exemplary botanical features, Blue Hill Wind Project, T16 MD – Plan 01 Lot 1, Maine.

I have searched the Natural Areas Program's Biological and Conservation Data System files for rare or unique botanical features in the vicinity of the proposed site in response to your request of February 8, 2011 for our agency's comments on the project.

According to our current information, there are no rare botanical features that will be disturbed within the project site. This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We welcome the contribution of any information collected if a site survey is performed.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact our office if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

MAINE PUBLIC UTILITIES COMMISSION
Review Comments

Bull Hill Wind Project
March 4, 2011

Introduction

The Land Use Regulation Commission (LURC) has requested that the Public Utilities Commission (PUC) provide review comments with respect to Blue Sky East, LLC's (Blue Sky) proposal for the Bull Hill Wind Project located in Hancock County, Maine.

The Act to Implement Recommendations of the Governor's Task Force on Wind Power Development (Act) requires LURC to determine whether the Bull Hill Wind Project will provide "significant tangible benefits."¹ The Act provides that the PUC (among other agencies) shall submit review comments at the request of the siting authority.² The PUC is pleased to provide review comments within its areas of expertise.

"Tangible benefits" are defined by statute to mean:

environmental or economic improvements or benefits to residents of this State attributable to the construction, operation and maintenance of an expedited wind energy development, including but not limited to: property tax payments resulting from the development; other payments to a host community, including but not limited to, payments under a community benefit agreement; construction-related employment; local purchase of materials; employment in operations and maintenance; reduced property taxes; reduced electrical rates; natural resource conservation; performance of construction, operations and maintenance activities by trained, qualified and licensed workers in accordance with Title 32, chapter 17 and other applicable laws; or other comparable benefits, with particular attention to assurance of such benefits to the host community or communities to the extent practicable and affected neighboring communities.³

¹ P.L. 2007, ch. 661, section C-4 (codified at 12 M.R.S.A. § 685-B(4-B)).

² P.L. 2007, ch. 661, section A-7 (codified at 35-A M.R.S.A. § 3454).

³ 35-A M.R.S.A. § 3451(10).

The Act specifies that the siting authority shall presume the general energy and emissions-related benefits stated in statute (e.g. reduced reliance on fossil fuels, reduced emissions and energy security) and make additional findings regarding other tangible benefits.⁴ Thus, the PUC submits the following comments on whether the Bull Hill Wind Project provides significant tangible benefits in the areas of electricity market and pricing.

Discussion

In its development application for the Bull Hill Wind Project, Blue Sky stated that the Project will provide tangible benefits in the form of lower and less volatile electricity prices. Blue Sky states that, given the cost of generating wind power is stable and not subject to fluctuations in fossil fuel prices, the development of the project will create an opportunity to reduce price volatility directly for certain customers and makes it a strong candidate for long-term contracts.

Although the PUC agrees that the Blue Hill Wind Project will have the energy diversity and price stability benefits cited by Blue Sky, these benefits should not be considered by LURC in its evaluation of significant tangible benefits because the Act specifies that the general energy and environmental benefits of an expedited wind energy development should be assumed and do not constitute “tangible benefits” for purposes of satisfying the significant tangible benefits requirement. The PUC suggests that the LURC consider as an electricity market tangible benefit the sale of a significant amount of the output of the wind power project to customers (particularly industrial and commercial customers) within the area or to the utility under the PUC’s long-term contracting authority at fixed prices projected to below market prices or at a stated discount off of market prices.⁵ Although Blue Sky mentioned the potential for a long-term contract in its application, the PUC is not aware of any such benefit conferred by the Blue Hill Project.

It is important to note, however, that the Act does not require that a wind project provide tangible benefits from each of the categories listed in statute to meet the significant tangible benefits requirement. The project could offer no electricity pricing tangible benefits and still satisfy the requirement if there are enough benefits from the other categories listed in the statutory definition of tangible benefits. The determination of whether the overall package of benefits

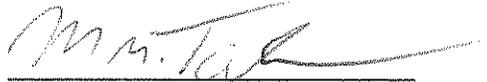
⁴ 35-A M.R.S.A. §§ 3402(1), 3454.

⁵ Under statute, the PUC has the authority to solicit proposals from generators for long-term electricity contracts and to direct utilities to enter into such contracts. 35-A M.R.S.A. § 3210-C.

satisfies the significant tangible benefit requirement is for the "primary siting authority," in this case the LURC.⁶

The PUC appreciates the opportunity to provide these comments.

DATED: March 4, 2011



Mitchell M. Tannenbaum
Deputy General Counsel
Maine Public Utilities Commission
State House Station # 18
Augusta, Maine 04333-0018

⁶ 35-A M.R.S.A. § 3454.

From: [Jacobsen, James](#)
To: [Murphy, Donald;](#)
Subject: review, blue sky east llc, t16md
Date: Tuesday, February 15, 2011 3:14:42 PM
Attachments: [LURC review-blue sky east llc-T16MD.pdf](#)

Donald,

Please see attached. Contact me if you have any questions.

Jim Jacobsen

James A. Jacobsen
Project Manager, Webmaster
Division of Environmental Health
Drinking Water Program
Subsurface Wastewater Unit
286 Water Street, Augusta, ME 04333
Phone: 207-287-5695 Fax: 207-287-3165
<http://www.mainepublichealth.gov/septic-systems>
<http://www.mainepublichealth.gov/cemeteries>

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STATE OF MAINE

DEPARTMENT OF CONSERVATION
MAINE LAND USE REGULATION COMMISSION
Harlow Building, 4th floor
Eastside Campus, 18 Elkins Lane
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022
www.maine.gov/doc/lurc

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FEB 09 2011

WASTEWATER &

REQUEST FOR REVIEW AND COMMENT ON PENDING APPLICATION

Date: 1/4/2011 Application #: DP-4886 Analyst: D. MURPHY Applicant: First Wind - Blue Sky East

Location: T16MD-Plan 01 Project: 'Bull Hill Wind Project'
Lot 1

Special Notes: 19 turbine, 3 met tower, 0.5 m
Building substation connect to existing
transmission line. 34.2 MW

TO BE CONSIDERED,
COMMENTS DUE by:
3/4/2011

Please use this form to make comments & recommendations regarding the attached application. Those indicated below have been requested to review this application

- | | | | |
|---|---|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Subsurface Wastewater Program (DEH) - #11 | <input type="checkbox"/> | State Planning Office - #38 |
| <input checked="" type="checkbox"/> | Steve Timpano/Karen Estabrook, IF&W - #41 | <input checked="" type="checkbox"/> | Dept. of Transportation, Planning, Steve Landry - #16 |
| <input type="checkbox"/> | John Pratte, Inland Fisheries & Wildlife - #41 | <input type="checkbox"/> | Soil & Water Conservation Dist.: _____ |
| (2) <input checked="" type="checkbox"/> | Inland Fisheries & Wildlife Region: <u>Jonesboro</u> | <input type="checkbox"/> | Atlantic Salmon Commission |
| (2) <input checked="" type="checkbox"/> | DEP, Land & Water Quality - #17 Attn: <u>Richard Bard & Greg Burr</u> | <input type="checkbox"/> | 650 State St, Bangor, ME 04401 |
| <input checked="" type="checkbox"/> | U.S. Fish and Wildlife Service <u>Dave Wardell</u> | <input type="checkbox"/> | DEP, Haz Mat & Solid Waste - #17 Attn: _____ |
| <input checked="" type="checkbox"/> | 1168 Main St, Old Town, ME 04468 <u>Wendy Mahoney</u> | <input checked="" type="checkbox"/> | U.S. Army Corps of Engineers <u>Jay Clement</u> |
| <input checked="" type="checkbox"/> | Director, Bureau of Parks and Lands - #22 | <input checked="" type="checkbox"/> | 675 Western Ave #3, Manchester, ME 04351 |
| <input type="checkbox"/> | State Geologist, NRIMC - #22 | <input checked="" type="checkbox"/> | Natural Areas Program, Molly Docherty & <u>Don Cameron</u> #93 |
| <input type="checkbox"/> | LURC, Planning & Administration Division | <input checked="" type="checkbox"/> | Historic Preservation Commission, Robin Stancampiano #65 |
| <input checked="" type="checkbox"/> | <u>Hancock</u> County Commissioners | <input type="checkbox"/> | David C. Rocque, State Soil Scientist - #28 |
| <input checked="" type="checkbox"/> | Other: <u>Dept. Marine Resources - attn. Norm Dube</u> | <input type="checkbox"/> | 1 st Assessor, _____ |
| <input checked="" type="checkbox"/> | Other: <u>Trish Garrison, EPA</u> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> | _____ |

After review of the application and consideration of the proposal's probable effect on the environment and on our programs and responsibilities, we recommend:

- | | |
|---|--|
| <input type="checkbox"/> A public hearing for reasons noted below | <input type="checkbox"/> Disapproval for reasons noted below |
| <input checked="" type="checkbox"/> Approval with conditions as recommended below | <input type="checkbox"/> No recommendation for reasons noted below |

Comments or recommended conditions (attach additional pages as necessary)

The design dated 10/05/10 by Albert Frick, S.E. meets the requirements of the Subsurface Wastewater Disposal Rules, CNR 241.

Signature: James P. Jacobsen Date: 02/15/11

CHECK HERE TO BE SENT A COPY OF ANY DECISION ISSUED